

PLAINTIFF'S EXHIBIT 39

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COUNTY & FROM PAGE 1

# Crawford Central accused of hiring bias

By Mary Spicer  
MEADVILLE TRIBUNE

According to Cochran resident Rowena Wagner, she's not working as an elementary teacher in Crawford Central School District for two reasons: her race — Asian — and her national origin — Filipino. And she's headed to court to prove it, asking for, among other things, compensatory damages, back pay and \$150,000 in punitive damages, as well as a long-term or full-time professional teaching position suitable with her professional background.

Wagner's complaint — which names as defendants the school district, the school board, Superintendent Michael Dolecki, Assistant Superintendent Charles Heller III and the union representing the district's teachers, Crawford Central Education Association — was filed with the U.S. District Court for the Western District of Pennsylvania in Erie on Sept. 16.

The claim of discrimination, according to Dolecki, is simply not true. Noting that he is unable to comment on this specific case, "We feel the allegations are without

merit," he said Thursday. "The district is committed to hiring the best candidates for every position."

According to Wagner's attorney, Cathy Nichols of Erie, the complaint was filed in Erie's District Court, as opposed to Meadville's Crawford County Court of Common Pleas, primarily because the two most important issues — discrimination based on her race and national origin and violation of her right to enter into an employment contract free of discrimination — involve federal jurisdiction. The action is being initiated under Title VII of the Civil Rights Act of 1964, as amended, and section 1981 of the Civil Rights Act of 1866, also as amended. Wagner is also seeking relief under applicable state laws, including the Pennsylvania Human Relations Act.

Wagner is a May 2000 graduate of Edinboro University of Pennsylvania, where she was awarded a bachelor of science in education degree with a major in elementary education. Certified to teach in the elementary school system, this is her fourth year as a substitute teacher in Crawford Central.

In August 2001, according to the com-

plaint, she applied for a substitute teaching position with the school district, during the 2001-02 school year, she worked as a substitute teacher in various Crawford Central elementary schools.

In November 2002, Wagner was hired to replace a full-time teacher who took sick leave due to surgery for the remainder of the semester that was to conclude on Jan. 17, 2003. The complaint alleges, however, on Dec. 20, 2002, the district "summarily dismissed Wagner, and replaced her with another teacher who is Caucasian."

In addition, the complaint continues, Wagner applied for a vacant full-time third-grade teaching position at Neeson Hill Elementary School "that was posted, became available Nov. 12, 2002, and for which applications were being accepted. On Dec. 11, 2002, (Crawford Central) notified (Wagner) that the position, inexplicably, no longer existed."

During 2002, 2003 and 2004, the complaint notes, Wagner unsuccessfully applied for more than 75 long-term substitute and full-time permanent teaching positions in the district.

But that, according to Nichols, isn't the

worst part.

The complaint notes that "it is reported that as of May 2004 that the Crawford Central School District services more than 4,300 students, at least 300 of whom are minorities, but there are few, if any, teachers, counselors or administrators of color. During the past ten (10) years, the district has employed approximately two (2) minority teachers, and not more than five during the past twenty-five (25) years."

"This should be called into question," Nichols said of the district's long-term hiring history. "That's not a pretty picture."

As for the specific complaint, however, "She is a marvelous teacher," Nichols said. "Her record and evaluations demonstrate this. It's really ironic that rather than enthusiastically embracing her as an asset as a teacher, they shun her."

The complaint isn't the first time Wagner has made formal objection to her alleged treatment. On Feb. 20, 2003, according to the complaint, she filed a discrimination claim with the Pennsylvania Human Relations Commission. In a

"one-year letter" dated June 22, 2004, the commission notified Wagner that, because a year has passed, she has "the right to bring an action in the appropriate Pennsylvania Court of Common Pleas based on the alleged violations of the (Pennsylvania Human Rights Act) contained in your commission complaint." The right to proceed, the letter notes, is provided under the act.

In the letter, which was included as an exhibit in the complaint, Wagner was advised that she is required to file such an action. However, if she chooses to proceed through the court, the letter continues, the complaint filed with the commission will be dismissed.

"I believe the allegations we have brought have credibility," Nichols said. "I think the case is also important in the sense that hopefully it will subject the entire hiring practice of the school district to the glare of public scrutiny."

Crawford Central's attorney wasn't available for comment.

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## Memorial

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he said. "I've attended probably 30 of those funerals. In a lot of cases, I didn't know the individual (who was killed), but I know what it does to me personally. I can only imagine what it does in the community, in the fire department."

"Where there's kids left behind," he said as tears began to form in his eyes, "they hurt a little more. I have a 10-year-old and a 12-year-old of my own, and still being an active firefighter myself, you look at those kids, you see your own kids in their eyes."

Mamm is assistant chief and financial secretary of East Derry

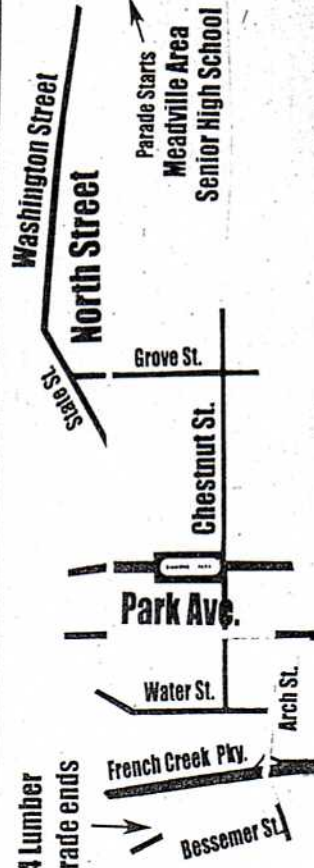
## 84 Lumber Parade ends

placed in a boat and a bell tolled for each name read. When the name was read, a friend or relative of the firefighter approached to place the flower and accept a small state flag to take back to honor the memory of the firefighter.

Coleman explained the significance of the bell toll is that firefighters traditionally sounded a bell to let people know they were responding to a fire. In the memorial service, the bell is a symbol for the firefighter responding to the last call, death.

By Jean Shanley  
MEADVILLE TRIBUNE

floats and other units. Although there is no parade marshal, the lead units will in-



## Huge parade will reflect firefighter history, pride

and turn left onto Park Avenue. Fire apparatus will go on Arch Street across the railroad tracks to

How about them apples? You like apples? How about 63 varieties of Apples! Now picking Honey Crisp. Of course we also have a basket full of apples!